

Senate File 2028 - Introduced

SENATE FILE 2028

BY JOCHUM

(COMPANION TO HF 430)

A BILL FOR

- 1 An Act relating to boards of administration for horizontal
- 2 property.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 499B.15, Code 2009, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 1A. If the form of administration is a
4 board of administration, board meetings must be open to all
5 apartment owners except for meetings between the board and its
6 attorney with respect to proposed or pending litigation where
7 the contents of the discussion would otherwise be governed by
8 the attorney-client privilege. Notices of all board meetings
9 must be posted in a conspicuous place on the property at least
10 forty-eight hours in advance of a meeting. In the alternative,
11 if notice is not posted in a conspicuous place on the property,
12 notice of each board meeting must be mailed or delivered to
13 each apartment owner at least seven days before the meeting.
14 Minutes of meetings of the board of administration must be
15 maintained in written form or in another form that can be
16 converted into written form within a reasonable time. The
17 official records of the board of administration must be open to
18 inspection and available for photocopying at reasonable times
19 and places. Any action taken by a board of administration at a
20 meeting that is in violation of any of the provisions of this
21 subsection is not valid or enforceable.

22 EXPLANATION

23 This bill relates to boards of administration for horizontal
24 property.

25 The bill provides a new requirement for bylaws that govern
26 horizontal property. The bill provides that the bylaws must
27 provide that if the form of administration is a board of
28 administration, board meetings must be open to all apartment
29 owners. Notices of all board meetings must be posted in a
30 conspicuous place on the property at least 48 hours in advance
31 of a meeting. In the alternative, if notice is not posted
32 in a conspicuous place on the property, notice of each board
33 meeting must be mailed or delivered to each apartment owner
34 at least seven days before the meeting. Minutes of meetings
35 of the board of administration must be maintained in written

1 form or in another form that can be converted into written form
2 within a reasonable time. The official records of the board
3 of administration must be open to inspection and available for
4 photocopying at reasonable times and places. Any action taken
5 by a board of administration at a meeting that is in violation
6 of any of these provisions is not valid or enforceable.